

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

KYLE McCLENDON,

Petitioner,

-vs-

WARDEN, Lebanon Correctional
Institution,

Respondent.

:

Case No. 3:12-cv-364

:

District Judge Timothy S. Black
Magistrate Judge Michael R. Merz

DEFICIENCY ORDER

This habeas corpus case is before the Court *sua sponte*.

In review of the docket, it appears that when Petitioner filed his Petition for Writ of Habeas Corpus, he failed to pay the filing fee or provide the Court with an application to proceed *in forma pauperis*.

The Clerk is ORDERED to furnish Petitioner with a copy of the standard form for applying for *in forma pauperis* status in this Court. Petitioner is ORDERED to either pay the \$5.00 filing fee or file an application to proceed *in forma pauperis* with this Court not later than February 10, 2013.

January 25, 2013.

s/ *Michael R. Merz*
United States Magistrate Judge